In the High Court of Judicature for Rajasthan
At
Jaipur Bench, Jaipur

O R D E R

In

S.B. Criminal Misc. Bail Application No.6173/06
Nathu Lal Vs. State of Rajasthan

Date Of Order :: 28th November, 2006

Hon'ble Mr. Justice Jitendra Ray Goyal

Mr. B.S. Gurjar, counsel for petitioner.
Mr. R.P. Kuldeep, Public Prosecutor for State.
Mr. Pankaj Gupta, counsel for complainant.

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Heard learned counsel for accused petitioner as well as complainant, learned Public Prosecutor for the State, perused the case diary and other material produced during the course of arguments.

It is contended on behalf of accused petitioner Nathu Lal that he only identified one person Jagdish S/o. Prabhatya and he was not aware that Jagdish Prasad fraudulently mortgaged the land of another Jagdish S/o. Prabhatya.

Learned Public Prosecutor and counsel appearing for the complainant opposed the bail application and contended that principal accused Jagdish @ Pappu fraudulently mortgaged the land of the complainant Jagdish S/o. Prabhatya stating that he is the owner of the land and the accused petitioner Nathu Lal is also involved in this offence.

Without making any observation on merits, having considered the rival submissions made at the bar, nature of accusation, material on record, entire facts circumstances and also

keeping in view that the accused petitioner Nathu Lal identified Jagdish S/o. Prahbatya and from the perusal of his ration card it appears that the name of the co-accused is Jagdish S/o. Prabhatya, I deem it proper to grant the benefit of pre-arrest bail to accused petitioner Nathu Lal.

In the result, the bail application is allowed and it is directed that in the event of arrest of petitioner Nathu Lal S/o. Laxmi Narayan, he shall be released on bail by the concerned SHO/Investigating Officer in FIR No.121/2006 registered at Police Station Kolwa, District Dausa provided he furnishes a personal bond in the sum of Rs.10,000/- together with two sureties each in the sum of Rs.5,000/- to the satisfaction of the concerned SHO/Investigating Officer on the following conditions :-

1. that he shall make himself available for interrogation by a police officer as and when required;
2. that he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or any police officer; and
3. that he shall not leave India without previous permission of the Court.

(J.R. Goyal),J

VS Shekhawat/-
Jr. P.A.